

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
(MEMPHIS DIVISION)

IN RE REGIONS MORGAN KEEGAN ERISA)
LITIGATION)

Case No. 2:09-md-02009

This Document Relates to:)
In Regions Morgan Keegan ERISA Litig.,)
Case No. 2:08-cv-2192-SHM-dkv)

Judge Samuel H. Mays, Jr.

Magistrate Judge Diane K. Vescovo

**JOINT MOTION FOR EXTENSION OF STAY OF THE ACTION PENDING
CONTINUED SETTLEMENT NEGOTIATIONS**

All Parties to this action, by their undersigned counsel, respectfully move the Court for an Order extending the stay of this action through December 1, 2012 to allow the Parties to continue ongoing settlement negotiations. A memorandum of law is submitted below in support of this motion.

Memorandum in Support

On June 19, 2012 this Court granted the joint motion of all Parties in this Action to stay the proceeding for 120 days “on the ground that the parties are currently engaged in deposition discovery and believe that sufficient facts have been developed through the course of discovery to permit meaningful participant in mediation.” Dkt. No. 304.

The Parties subsequently reached agreement to mediate before Judge Daniel Weinstein, but were unable to schedule time with Judge Weinstein until August 20, 2012. On August 20, counsel for all Parties met at Judge Weinstein’s mediation facility in northern California and engaged in discussions for nearly 12 hours. Since August 20, Judge Weinstein has engaged in follow up discussions with all Parties.

To allow the Parties to engage in further meaningful settlement discussions facilitated by Judge Weinstein and build on the progress made to date, the Parties request that this Court stay discovery and all briefing deadlines through December 1, 2012. In the event the Parties are not able to reach a settlement of the case prior to expiration of the stay, the Parties will jointly submit, on or before December 17, 2012, a Proposed Amended Scheduling Order for the completion of class certification discovery, class certification briefing, merits discovery, pre-trial disclosures, and trial.

Based on the foregoing, the Parties jointly and respectfully request entry of an Order Granting Stay as set forth above. A proposed order will be transmitted to the Court via e-mail in accordance with the requirements of Local Civil Rule 7.2(a)(1)(A).

DATED: October 12, 2012.

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CERTIFICATE OF SERVICE

I hereby certify that on October 12, 2012, I caused the foregoing document to be filed with the Clerk of the Court via the CM/ECF system, which will send notice of such filing to all Counsel of Record in the case. There are no non-CM/ECF participants.

DATED this 12th day of October, 2012.

s/ Derek W. Loeser

Derek W. Loeser